HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION NO :9748 of 2002

Dated 3rd October, 2007

Between
En.En.Electricals, rep. By its Propl.T.Aswatha Reddy
And ors.

…Petitioners

and

Central Power Distribution Corporation of AP Ltd.,
Rep. By its Director, Singareni Bhavan, Red Hills,
Hyderabad, and, ors

…Respondents.

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 9748 of 2002

ORDER:

This Writ Petition is filed questioning Memo No. Dir/OP/CPDCL/FD&M/SS/D.No.3324/2002, dated 29-4-2002 issued by the first respondent.

The petitioners were the contractors for operation and maintenance of 33/11 KV substations. In the above said memo, it was proposed to award the work of operation and maintenance of 33 KV/11 MKV substations to M/s. A.P. Productivity Council or SETWIN with effect from 1-6-2002. In this Writ Petition, it is the case of the petitioners that they were holding valid contracts and in that view of the matter, they cannot be deprived of the subsisting contracts by virtue of

issuance of the above said memo dated 29-4-2002.

It is not in dispute that, earlier, the contracts, which were given to the petitioners in the year 2001, expired and in that view of the matter, they have no right to continue as such. Further, in the counter affidavit filed on behalf of the respondents, it is stated that the individual contractors, to whom, works of operation and maintenance were awarded, have employed unqualified persons against I.T.I. qualified persons contrary to the terms of the agreement. It is further stated that the employees appointed by the contractors were not being paid minimum wages notified by the Government and the same resulted in improper maintenance of the sub-stations causing equipment failures.

In view of the expiry of the contracts, the petitioners cannot seek continuance of the same. Further, as much as AP Productivity Council and SETWIN are the organizations under the control of Government, for the better maintenance of the substations, it is always open for the respondents to award contract to them. In that view of the matter, I do not find any valid ground for grant of relief as prayed for.

The Writ Petition is devoid of merits and is according dismissed. No order as to costs.

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JUSTICE R. SUBHASH REDDY

DATE: 3-10-2007.
Msnr.